

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

**DEFENDANT'S MOTION TO SUPPRESS
STATEMENTS FROM INTERROGATION**

COMES NOW Defendant, Justin Payne, by and through undersigned counsel, and for his Motion to Suppress¹ all statements made during the interrogation of Mr. Payne, states as follows:

1. On March 31, 2015, Special Federal Officer Brian Mize and Special Agent Ashley Frazier subjected Mr. Payne to a custodial interrogation.

2. This Court should suppress all statements made during the aforesaid interrogation because Mr. Payne invoked his right to counsel and right to remain silent, without making a knowing, intelligent and voluntary waiver of his *Miranda* rights, and any statements subsequently made were in violation of *Miranda v. Arizona*, 384 U.S. 436 (1966) and the Fifth Amendment to the United States Constitution.

3. Mr. Payne has attached a Memorandum in Support of this Motion.

WHEREFORE, Defendant Justin Payne hereby requests that this Court issue an order to suppress all statements made during his interrogation on March 31, 2015, and for such other and further relief as this Court deems proper.

¹ The undersigned counsel has personally conferred with counsel for the opposing party about the issues raised in this motion and there is a good faith belief that the information or evidence exists about which the defendant seeks to have suppressed.

Respectfully submitted,

ROSENBLUM, SCHWARTZ, ROGERS & GLASS, PC

/s/ Joel J. Schwartz

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CERTIFICATE OF SERVICE

In accordance with Rule 49(a), (b), and (d), Fed. R. Crim. P., it is hereby certified that a copy of the foregoing was electronically sent to counsel for the United States via the Court's CM/ECF system on June 24, 2015.

/s/ Joel J. Schwartz